DECLARATION COMBINED WITH POWER OF ATTORNEY

Page 1 of 3 Attorney Docket No. 8041M

As a below named inventor, I hereby declare that:

| My residence, mailing address | s and citizenship are as stat | ted below next to my name. | |
|---|--------------------------------|--|---|
| I believe I am the orig (if plural names are listed bel NUTRITIONALLY BALAN | ow) of the subject matter v | which is claimed and for which a r | v) or an original, first and joint inventoratent is sought on the invention entitle |
| the specification of which | | iek roops | |
| (check [X | l is attached hereto. | | |
| one) | was filed on | | as United States Application No. |
| , | | pplication Serial No. | as United States Application No. or |
| | and was amended on | | - |
| | una vias amenaea on | (if applicable) | 10 |
| I hereby state that I ha | ive reviewed and understan | id the contents of the above-ident | ified specification, including the claim |
| as amended by any amendme | nt referred to above. | and the desired of the decree facility | med specification, including the claim |
| I acknowledge the dut | y to disclose information v | which is material to patentability a | as defined in 37 C.F.R. §1.56, includin |
| for continuation-in-part applied | cations, material information | n which became available betwee | on the filing date of the prior application |
| and the national or PCT interr | national filing date of the co | ontinuation-in-part application. | in the fining date of the prior application |
| I hereby claim foreign | priority benefits under 35 | U.S.C. §119(a)-(d) or §365(b) of | any foreign application(s) for patent of |
| inventor's certificate, or §365 | (a) of any PCT Internationa | al application which designated at | least one country other than the Unite |
| States of America, listed below | w and have also identified b | pelow any foreign application for | patent or inventor's certificate, or of an |
| international application | having a filing date before | that of the application on which p | riority is claimed: |
| Prior Foreign Applicat | ion(s) | | Priority Claimed |
| | | | |
| Prior Foreign Applicat [Number] | (Country) | (Day/Month/Year Filed) | Yes No |
| | er 35 II.S.C. 8119(e) of any | United States provisional application | ation(a) lists d.h.alam |
| 60/196,878 | April 12, 2000 | of Clinical States provisional applica | ation(s) listed below. |
| Application Serial No. | Filing Date | Application Serial No. | Filing Data |
| t and | • | | Filing Date |
| hereby claim the benefit u | nder 35 U.S.C. §120 of a | any United States application(s), | or §365(c) of any PCT International |
| application designating the U | nited States of America, his | ted below and, insofar as the sub- | iect matter of each of the claims of thi |
| application is not disclosed i | n the prior United States | or PCT International application | n in the manner provided by the firs |
| paragraph of 35 U.S.C. §112, | I acknowledge the duty to | disclose information which is mat | terial to patentability as defined in Title |
| filing data of this small still | ie available between the fi | lling date of the prior application | and the national or PCT internationa |
| filing date of this application: | | | |
| II C. Dawart A | | | |
| U.S. Parent Application | PCT Parent | Parent Filing Da | |
| Number | Number | (MM/DD/YYY | Y) (If applicable) |
| | | | |
| As named inventor, I hereby a | ppoint the following regist | ered practitioner(s) to prosecute the | nis application and transact all business |
| n the Patent and Trademark O | ffice connected therewith | practitioner(s) to prosecute ti | ns application and transact an ousines: |
| | | Associate Power | |
| Atty Name | Atty Reg Number | of Attorney Attached | |
| ames F. Mc Bride | 43.784 | [] Yes [X] No | |

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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